

Enclosure B

COUNTY RESPONSE COVER PAGE – MUST BE FULLY COMPLETED AND SUBMITTED WITH PLAN AND DATA

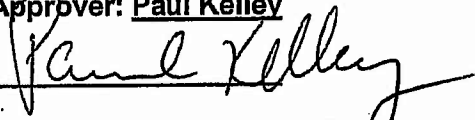
Sonoma County Human Services Department is requesting participation in the Enhanced Anti-Fraud Program and will submit a Plan and Data as described above, by November 1, 2009.

Board of Supervisor Approval

Approved on October 27, 2009, by the County Board of Supervisors

Name of Approver: Paul Kelley

Signature



Name of County District Attorney Representative: Stephan Passalacqua

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County of Sonoma In-Home Supportive Services Fraud Plan

FY 2009-10

Submitted to:
California Department of Social Services
October 30, 2009

Prepared by:
Jo Weber, Director



Human Services Department
COUNTY OF SONOMA

A. IHSS Overpayments/Underpayments

Sonoma County Human Services Department will identify and reduce the occurrence of overpayment and fraud by using the 2009-10 California Department of Social Services (CDSS) funding for fraud investigations to create an In-Home Supportive Services (IHSS) Program Integrity Unit. This newly created IHSS Program Integrity Unit will be responsible for investigating, documenting, and tracking the occurrences and outcomes of IHSS fraud/overpayments. Sonoma County will use the new fraud allocation to increase staffing that include an IHSS Fraud Social Worker and designate a full time Special Investigations Unit (SIU) Welfare Investigator to the IHSS program.

The IHSS Fraud Social Worker will use IHSS program knowledge, social worker assessment skills, and mediation skills to work with IHSS providers, IHSS recipients, and other stakeholders. Because the majority of overpayment/fraud referrals are generated from within the IHSS program, the IHSS Fraud Social Worker will enhance the County's collection of evidence from both parties. The newly created IHSS Program Integrity Unit will identify overpayment and fraud in the IHSS program and reduce the occurrence of each.

Sonoma County has not made a distinction between overpayments and fraud except for instances of clerical error. In order to act or collect on overpayment, an investigation is conducted to confirm that overpayment/fraud occurred before action is taken. The definition of overpayment presented in the March 2009 Senate Office of Oversight and Outcomes Report also states that overpayments and fraud are synonymous in many instances.

"SB1104 carefully defined and distinguished the terms fraud and overpayment. The term fraud, as used in the statute, was limited to traditional prosecutable acts of intentional misrepresentation. On the other hand, the term overpayment was defined broadly to include all instances, fraudulent or not, in which providers are paid in excess of the amount for authorized services."

Through implementation of the Program Integrity Unit, IHSS program staff will gain a greater ability to recognize and report potential fraud with increased consistency and frequency. Enhanced instruction, training, and timely investigations by the Program Integrity Unit will demonstrate that investigating, resolving and reducing instances of overpayment/fraud is important to the integrity of the IHSS program. Currently, fraud referrals mostly remain uninvestigated due to the lack of state and county resources.

Underpayments do not occur in Sonoma County with any frequency; therefore, there will not be a focus on identifying and reducing occurrences. Few instances have been discovered via the Quality Assurance Review process where clerical errors have been identified. For example, IHSS hours authorized and documented in the social worker case notes were not correctly recorded in the payroll records which caused an underpayment.

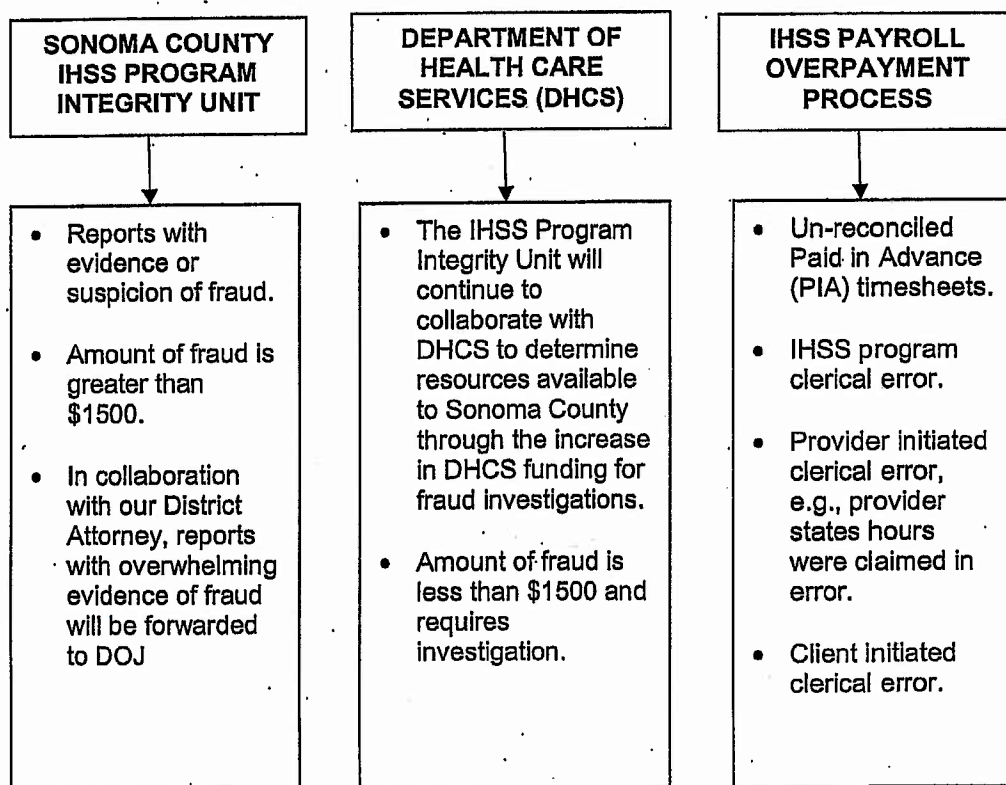
B. Fraud Referrals/Outcomes

The Sonoma County IHSS program does not currently refer cases directly to the Sonoma County District Attorney. Cases are forwarded to the Department of Health

Care Services (DHCS) based on the direction from CDSS as stated in ACIN I-04-06 and W&I § 12305.82(a). The DHCS Fraud Investigator conducts the investigations and consults with the District Attorney to prosecute IHSS fraud cases. Due to lack of resources, the IHSS program has not historically tracked cases referred to the District Attorney by DHCS beyond the initial investigation. The collaboration with the DHCS Fraud Investigator has proven to be successful in increasing the number of fraud referrals that reach resolution.

The development of the Quality Assurance program in Sonoma County in 2005 has been part of ongoing efforts to mitigate fraud occurrences. Home visits conducted per the Sonoma County Quality Assurance Plan has given clients and providers notice that the IHSS program has put a priority on verifying IHSS services are being performed timely and with the quality necessary for clients to remain safely in their homes.

The chart below illustrates Sonoma County's methodology for determining the appropriate agency for referral/investigation.



C. Collaboration and Partnerships with District Attorney's Office (DAO)

This plan has been coordinated with the District Attorney. The DA's acknowledgment is included with the report to the Sonoma County Board of Supervisors. The Human Services Department Special Investigations Unit has an existing MOU with the Sonoma County DA for prosecution of welfare fraud cases. The investigations of welfare fraud

cases for Sonoma County are exclusively prepared by the Special Investigations Unit (SIU) and submitted to the DA for prosecution. The DA has a \$1500 recommended threshold for prosecution of welfare fraud cases.

D. Collaboration and Partnership with California Department of Health Care Services (DHCS) and the California Department of Social Services (CDSS)

Sonoma County HSD IHSS and SIU actively work with the designated DHCS Fraud Investigator Joe Anna Snowden to investigate fraud. HSD looks forward to continuing this collaboration as DHCS receives increased funding for fraud investigations. HSD will collaborate with CDSS on technical issues as it relates to the new fraud initiative in the future.

Referrals sent to DHCS are tracked by the IHSS program using an Excel spreadsheet tracking tool that collects the following data:

- Referral/discovery date – Date the incident was discovered
- Date referral sent - Date the referral was sent to investigative agency
- Agency name - DOJ or DHCS (and previously SIU)
- Recipient name
- Provider name
- Person referred - person who committed the alleged fraud (Provider or Client)
- Reported by – reporting party is confidential
- Social worker – IHSS client's social worker name
- Allegation
- Fraud amount
- Fraud investigation agency case number
- Status – open, closed, collections, referral to be sent
- Reason of disposition
- Date resolved
- Comments

E. Mechanisms for Tracking/Reporting

Sonoma County HSD will track and report outcomes of fiscal year efforts to CDSS to the extent funding is available for such activities. A comprehensive fiscal year plan will be submitted June 1st each year that will include updates as well as an agreement to continue tracking, reporting, and submitting final data by August 1 for each fiscal year. The DPA-266 Fraud Investigation Activity Report may be used.

F. Sonoma County's Current and Proposed Anti-Fraud Activities

Sonoma County HSD currently utilizes available resources to prevent and identify fraud in the IHSS program. These anti-fraud activities are described below:

- Verify the identity of client – review of client photo identification at QA home visit
- Verify that client understands services and hours authorized
- Discuss available alternate resources with client
- Discuss and verify with client how often their provider comes to perform services at QA home visit
- Discuss and verify with client whether their provider is performing all authorized services
- Participate with CDSS on completion of the Death Match Report
- Discuss with client whether they are eligible or receiving third party liability sources (workers' compensation insurance, long term care insurance, civil litigation payments, etc.)
- Review the Provider Working Over 300 + Hour Report
- Review the Out-of-State Warrants Report

Sonoma County HSD proposes to use the newly created IHSS Program Integrity Unit to engage in new anti-fraud activities as described below:

- Participate with CDSS on completion of Error Rate Study Report(s)
- Participate with CDSS in performing Joint Case Reviews
- Provide educational materials regarding provider/client responsibilities and expectations
- Perform unannounced home visits
- Review Medi-Cal Data Match reports when provided by CDSS
- Provide instruction and training to IHSS social work and payroll staff on new procedures for fraud identification and referral

G. Sonoma County Proposed Budget for Utilization of Funds

The budget, shown below, contains the FY 09-10 costs associated with implementing the Sonoma County IHSS Fraud Plan. The costs are for 6 months of operation. In order to develop the IHSS Program Integrity Unit in Sonoma County, a portion of the allocation for FY 09-10 will be used to purchase one-time resources that the unit will need to begin operations. These items include a dedicated county car, laptop computers, and specialized training. During the start-up phase, HSD will dedicate an additional social worker to conduct unannounced home visits.

Key components of the budget include one full time dedicated IHSS Special Investigations Unit Welfare Investigator, one full time IHSS Social Worker with a specialized fraud assignment, and support staff (clerical, analyst, and program development, supervision) to build this new unit in Sonoma County.

FY 09/10 Budget Item	Cost
Personnel	\$262,671
Communications/Office expense	\$10,433
County car	\$30,000
County Match	\$58,624
Total Budget	\$361,728

H. Description of how Sonoma County will Integrate Other Program Integrity Efforts within the Plan

The newly created IHSS Program Integrity Unit will be integrated in the Adult and Aging Division at the same location with the IHSS program. The Program Integrity Unit will be supervised by the IHSS Program Manager. The Senior Welfare Fraud Investigator will supervise the work of the Welfare Fraud Investigator. The Program Integrity Unit will work closely with IHSS Managers, IHSS Supervisors, and IHSS Social Workers/Payroll. This integrated unit will enhance and support existing Quality Assurance activities, Sonoma County IHSS Redesign efforts, and current CDSS program integrity initiatives, e.g., hourly task guidelines. There will be a regularly scheduled monthly meeting with the IHSS Program Integrity Unit and IHSS staff to conduct training on new initiatives and procedures. A monthly statistical report will be provided to the Adult and Aging Division Director and the HSD Director for review.

I. Annual Outcomes Report

Sonoma County HSD will provide an annual outcomes report to CDSS by August 1st of each year to the extent funding is available to Sonoma County.

Enclosure D

County: SONOMA

Fraud/Overpayments identified by County QA		04/05	05/06	06/07	07/08	08/09
¹ Total Amount per Fiscal Year:		10,277.41	19,619.37	125,212.61	93,377.53	17,035.36
Number of Instances:		10	23	46	46	45
Breakdown of Causes	Provider:	8	15	26	32	34
	Recipient:	2	7	11	3	5
	County Error:	0	0	0	0	0
	Unknown:	0	0	8	7	6
	Other (Both):	0	1	1	4	0

² Underpayments identified by County QA		04/05	05/06	06/07	07/08	08/09
Total Amount per Fiscal Year:		0	0	0	0	0
Number of Instances:		0	0	0	0	0
Breakdown of Causes	Provider:	0	0	0	0	0
	Recipient:	0	0	0	0	0
	County Error:	0	0	0	0	0
	Unknown:	0	0	0	0	0
	Other:	0	0	0	0	0

Fraud Referrals/Outcomes		04/05	05/06	06/07	07/08	08/09
³ Number of referrals to DHCS:		10	23	46	46	45
⁴ Number Handled locally by DA:		1	0	0	0	0
Number of convictions:		0	0	0	0	0
Court Ordered Restitution:		0	0	0	0	0
Amount of funds involved in the convictions:		0	0	0	0	0
Amount of funds recovered:		unk	unk	unk	unk	unk
Amount of funds pending recovery		unk	unk	unk	unk	unk
Basis for the conviction:		0	0	0	0	0
Individuals Responsible	Recipient:	2	7	11	3	5
	Provider:	8	15	26	32	34
	County Staff:	0	0	0	0	0
	Other:	0	0	1	7	0
	Unknown:	0	0	8	4	6

¹ Due to systems issues dollar amounts are partial

² Underpayments not tracked as part of fraud

³ This number reflects cases handled locally by SIU and DHCS

⁴ DHCS has worked with Sonoma County DA on some cases. Sonoma County IHSS does not track cases sent to DA

Enclosure D
Page Two

Utilization of County DA for Fraud ⁵		04/05	05/06	06/07	07/08	08/09
Outcomes	Documented referrals to DA:					
	Accepted:					
	Rejected:					
	Pending:					
	Completed Investigation					
	No Fraud					
	Restitution Action					
	Referred for Prosecution					
	Criminal Charges Filed					
	No Charged filed:					
	Convictions:					
	Acquittals					
	Dismissals:					
	Pending Investigation					
	Restitution					
	Court Ordered:					
	Restitution Action:					
	Fines					
	Prosecutions Completed					
	Convictions					
	Misdemeanor					
	Felony					

⁵ Sonoma County IHSS does not track cases sent to the Sonoma County DA

Budget Justification
Sonoma County's Fraud Funding Plan for FY 2009-10

Budget Section	Total
A. Personnel Costs (includes employee benefits)	\$ 268,962
B. Operating Expenses	\$ 17,700
C. Equipment Expenses	\$ 8,000
D. Travel/Per Diem and Training	\$ 4,593
E. Subcontracts and Consultants	\$ 32,473
F. Other Costs	\$ 30,000
G. Indirect Expenses	\$ 0
Total Expenses	\$ 361,728

A. Personnel Costs (including employee benefits)	Total Budget
Title: Welfare Investigator-Adv Post, Sr Welfare Fraud Investigator Salary Calculation: 74,720 Duties Description: Investigate reports of fraud in IHSS	\$ 79,381
Title: Social Worker IV Salary Calculation: 81,363 Duties Description: Screen fraud reports, education/awareness and prevention around fraud	\$ 81,363
Title: Planner/Analyst Salary Calculation: 38,415 Duties Description: Administrative assistance in developing processes, forms, and policies	\$ 38,415
Title: Sr Office Assistant Salary Calculation: 41,987 Duties Description: Clerical support in developing process, forms, and policies. Research timesheets, filing, etc.	\$ 41,987
Title: Fiscal Support Salary Calculation: 11,800 Duties Description: budgets, purchases, tracking	\$ 11,800
Title: Soc Srv Supv II Salary Calculation: 16,016 Duties Description: Provide supervision to Social Worker IV	\$ 16,016
Total Personnel Costs:	\$ 268,962

B. Operating Expenses	Total Budget
Title: Rent Description: Rent	\$ 9,000
Title: Communications Description: Desk phones/cell phones	\$ 1,200
Title: Office Supplies Description:	\$ 7,500
Total Operating Expenses:	\$ 17,700

C. Equipment Expenses	Total Budget
Title: Computer/Technology Description: Laptops/software needed to track and document fraud investigations	\$ 8,000
Title: Description:	\$
Title: Description:	\$
Total Equipment Expenses:	\$ 8,000

D. Travel/Per Diem and Training	Total Budget
Title: Training Description:	\$ 4,593
Title: Description:	\$
Title: Description:	\$
Total Travel/Per Diem and Training:	\$ 4,593

E. Subcontracts and Consultants	Total Budget
Title: Consultant/Education Materials	\$ 32,473
Description: Design and print educational materials to inform clients/providers about IHSS	
Title:	\$
Description:	
Title:	\$
Description:	
Total Subcontracts and Consultants:	\$ 32,473

F. Other Costs	Total Budget
Title: Car	\$ 30,000
Description: Dedicated vehicle to conduct home visits and investigate reports of fraud	
Title:	\$
Description:	
Title:	\$
Description:	
Title:	\$
Description:	
Title:	\$
Description:	
Total Other Costs:	\$ 30,000

G. Indirect Expenses	Total Budget
Title: Indirect expenses	\$ 0
Description:	
Title:	\$
Description:	
Total Other Costs:	\$